

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

STEPHEN KIRBY, an individual,

Petitioner,

vs.

CITY OF SAN MATEO, by and through the
CITY COUNCIL OF THE CITY OF SAN
MATEO; MATT FABRY, an individual, in
his capacity as the Director of the Public
Works Department of the City of San Mateo;
and the SUSTAINABILITY &
INFRASTRUCTURE COMMISSION OF
THE CITY OF SAN MATEO,

Respondents,

CROWN CASTLE FIBER LLC, a New York
limited liability company; and VERIZON
WIRELESS,

Real Parties in Interest.

Case No. 3:25-cv-06165-JD

**[PROPOSED] ORDER DENYING
PLAINTIFF'S REQUEST FOR JUDICIAL
NOTICE IN SUPPORT OF HIS
MEMORANDUM OF POINTS AND
AUTHORITIES IN OPPOSITION TO
MOTION TO DISMISS**

Date: September 18, 2025
Time: 10:00 a.m.
Judge: Hon. James Donato
Ctrm: Courtroom 11, 19th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Complaint Filed: June 20, 2025
Trial: TBD

[PROPOSED] ORDER

Upon Defendants/Real Parties in Interest Crown Castle Fiber LLC (“Crown Castle”) and GTE Mobilnet of California Limited Partnership d/b/a Verizon Wireless’s (“Verizon”) Opposition to Petitioner Stephen Kirby’s (“Petitioner”) Request for Judicial Notice (Dkt. # 21), and upon review of the papers submitted and oral argument presented by counsel, and good cause appearing, it is hereby **ORDERED THAT:**

Petitioner’s Request for Judicial Notice is **DENIED**.

IT IS SO ORDERED.

Dated: _____

HON. JAMES DONATO
DISTRICT COURT JUDGE